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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Stamm et al**



Application No. 09/899,026

Group Art Unit: 1615

Filing Date: **July 6, 2001**

Examiner: **H. Sheikh**

For: **Fenofibrate Composition Having High Bioavailability  
and Method for Preparing It**

**Mail Stop Issue Fee**

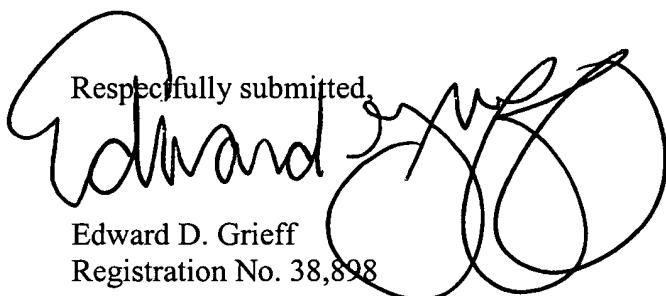
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Transmittal Letter**

Enclosed herewith for appropriate consideration by the US Patent Office is the following:

1. Response to "Notice of Drawing Inconsistency with Specification"

Applicants note that a Revocation of Power of Attorney with New Power of Attorney, Change of Correspondence Address, and Statement under 37 CFR § 3.73(b) was filed with the US Patent Office on September 29, 2005. A copy of this document is also enclosed herewith. The Power of Attorney is appointed to practitioners associated with Customer Number 26694, and requests that all correspondence for the above application be directed to the address associated with Customer Number 26694.

Respectfully submitted,  
  
Edward D. Grieff  
Registration No. 38,898

Date: October 5, 2005

Venable LLP  
575 7th Street, NW  
Washington, DC 20004  
Phone: 202-344-4382



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**Response to "Notice of Drawing Inconsistency with Specification"**

This Response is submitted in reply to the "Notice of Drawing Inconsistency with Specification" (hereafter "the Notice") dated September 12, 2005, for which a response is due on or before October 12, 2005. The Notice states that "Figures 3 & 4 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification."

Applicants respectfully disagree with the Notice. US Application No. 09/899,026 only contains Figures 1 and 2. Accordingly, the specification only refers to Figures 1 and 2. There is complete consistency between the specification, which describes Figures 1 and 2, and the application, which contains Figures 1 and 2.

It appears that the PTO may have erroneously reviewed the French priority document for US Application No. 09/899,026 when they mailed the Notice to the Applicants. The French priority document contains Figures 1, 2, 3 and 4; however, the US Application No. 09/899,026 as filed only contains Figures 1 and 2.

Contrary to the Notice, Applicants respectfully submit that there is consistency between the drawings and the specification.

Respectfully submitted,

Edward D. Grieff  
Registration No. 38,898

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Title: **Fenofibrate Compositions Having High Bioavailability and Method For Preparing It**

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**Revocation of Power of Attorney with New Power of Attorney,  
Change of Correspondence Address, and  
Statement under 37 CFR § 3.73(b)**

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint Power of Attorney with Edward D. Grieff, Registration No. 38,898 and the practitioners associated with the Customer Number **26694**.

Please change the correspondence address for the above-identified application to the address associated with the Customer Number **26694**.

I am authorized to act on behalf of the assignee, Laboratoires Fournier, S.A., a corporation who is the assignee of the entire right, title and interest in the above-identified application by virtue of an Assignment from the inventors to Laboratoires Fournier, S.A. recorded on 17 June 1998 in the US Patent Office at Reel 9260, Frame 0797.

Signature: \_\_\_\_\_

Typed Name: Pierre Diebolt

Title: Head of Intellectual Property Department  
European Patent Attorney

Date: 29 September 2005